

CHAPTER 2
MINIMUM STANDARDS FOR IOWA LAW ENFORCEMENT OFFICERS

[Appeared as Ch 1 prior to 4/10/85]
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501—2.1(80B) General requirements for law enforcement officers. In no case shall any person hereafter be selected or appointed as a law enforcement officer unless the person:

2.1(1) Is a citizen of the United States and a resident of Iowa or intends to become a resident upon being employed; provided that, with the approval of the Iowa law enforcement academy council, a city located on a state border that is within a standard metropolitan statistical area may allow officers to reside in an adjacent state within that statistical area upon written application by the agency administrator to the council showing substantial reason and documenting undue hardship. Railway special agents who are approved by the commissioner of public safety as special agents of the department shall be exempt from the Iowa residency requirement.

2.1(2) Is 18 years of age at the time of appointment.

2.1(3) Has a valid driver's or chauffeur's license issued by the state of Iowa. Railway special agents who are approved by the commissioner of public safety as special agents of the department and officers who are allowed to reside in an adjacent state within a standard metropolitan statistical area shall be required to possess a valid driver's or chauffeur's license.

2.1(4) Is not addicted to drugs or alcohol.

2.1(5) Is of good moral character as determined by a thorough background investigation including a fingerprint search conducted of local, state and national fingerprint files and has not been convicted of a felony or a crime involving moral turpitude. Moral turpitude is defined as an act of baseness, villainess, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty or good morals. The following nonexclusive list of acts has been held by the courts to involve moral turpitude: income tax evasion, perjury, or its subornation, theft, indecent exposure, sex crimes, conspiracy to commit a crime, defrauding the government and illegal drug sales. Various factors, however, may cause an offense which is generally not regarded as constituting moral turpitude to be regarded as such. The offenses of assault, domestic abuse, or other offenses of domestic violence, stalking, and any offense in which a weapon was used in the commission are crimes involving moral turpitude.

2.1(6) Has successfully passed a physical test adopted by the Iowa law enforcement academy.

2.1(7) Is not by reason of conscience or belief opposed to the use of force, when necessary to fulfill that person's duties.

2.1(8) Is a high school graduate with a diploma, or possesses a GED equivalency certificate.

2.1(9) Has an uncorrected vision of not less than 20/100 in both eyes, corrected to 20/20. Has color vision consistent with the occupational demands of law enforcement. Passing any of the following color vision tests indicates that the applicant has color vision abilities consistent with the occupational demands of law enforcement:

Pseudoisochromatic plates tests such as but not limited to: Tokyo Medical College, Ishihara, Standard Pseudoisochromatic Plates, Dvorine, American Optical HRR Plates, American Optical.

Panel tests such as:

Farnsworth Dichotomous D-15 Test or any other test designed and documented to identify extreme anomalous trichromatic, dichromatic or monochromatic color vision.

Individuals with extreme anomalous trichromatism or monochromasy color vision, as determined through testing, are not eligible to be hired as law enforcement officers in the state of Iowa.

2.1(10) Meets hearing standards as outlined below.

a. The person shall have normal hearing in each ear. Hearing is considered normal when, tested by an audiometer, hearing sensitivity thresholds are within 25dB measured at 500Hz, 1000Hz, 2000Hz and 3000Hz averaged together.

b. If the person does not have normal hearing as described above and any of the following (as recommended by the American Academy of Otolaryngology) conditions exist, a medical specialist's evaluation (otologic evaluation) is required in order for the candidate to be considered for hire:

(1) Average hearing level at 500Hz, 1000Hz, 2000Hz, and 3000Hz greater than 25dB, in either ear.

(2) Difference in average hearing level between the better and poorer ear of:

1. More than 15dB at 500Hz, 1000Hz, and 2000Hz, or

2. More than 30dB at 3000Hz, 4000Hz, and 6000Hz.

(3) History of ear pain; drainage; dizziness; severe persistent tinnitus; sudden, fluctuating, or rapidly progressive hearing loss; or a feeling of fullness or discomfort in one or both ears within the preceding 12 months.

(4) Cerumen accumulation sufficient to completely obstruct the view of the tympanic membrane or a foreign body in the ear canal.

(5) Use of a hearing aid.

c. Functional hearing evaluation required. Issues of reversibility and prognosis should be addressed during the otologic evaluation. The evaluation should consist of directional speech comprehension in noise and speech comprehension in quiet using the High Intensity Noise Test (HINT) or other tests that meet the performance characteristics as outlined in paragraph "d." Candidates who perform more poorly than the fifth percentile of the normal hearing group under any of the three background noise conditions (noise in front, right, or left) are not eligible for hire. Candidates with quiet thresholds greater than 28dB(A) on the HINT or other tests that meet the performance characteristics as outlined in paragraph "d" are not eligible for hire.

d. Required performance testing characteristics include the following:

(1) Testing is available in both headphone and sound field versions.

(2) The testing has an adequate normal hearing control group.

(3) The testing is capable of spatial separation between the speech and the noise source.

(4) The testing uses adaptive testing techniques.

(5) The testing uses a stationary background noise with the same average level across frequencies as the speech.

e. Use of a hearing aid. A candidate who uses a hearing aid(s) should be administered the HINT or other tests that meet the performance characteristics as outlined in paragraph "d" to assess speech comprehension ability in noise and quiet. Both tests must be administered by sound field methods rather than headphones. An aided audiogram can be reviewed to evaluate sound detection ability.

Before functional testing, the examining physician must ensure that the aid(s) has been worn regularly for at least one month, since it takes some practice before an individual obtains the maximum benefit from the hearing aid(s). Furthermore, the examining physician should obtain all records from the audiologist who dispensed the hearing aid(s). The records must include documentation of the fitting program and other hearing aid settings, which are used on a regular basis by the candidate. This information shall be reviewed by the certified audiologist performing the testing procedure to verify that the settings have not been intentionally altered.

The following protocol must be used. No modifications to the candidate's hearing aid program or settings should be made prior to or during the performance of this protocol.

(1) Evaluate whether the hearing aid(s) is working properly. The electroacoustic response characteristics of each hearing aid worn by the candidate should be measured in an appropriate acoustic coupler and test chamber according to ANSI specifications (ANSI 1992 and 1996). The response of the hearing aid(s) should be measured at the four designated input levels with a broadband test signal, as specified in the specifications. All measurements should be printed and retained in the candidate's records. If the hearing aid(s) is not in proper working condition, no further testing should be performed at that time. The candidate may elect to have the hearing aid(s) repaired or replaced and may return to repeat the protocol. In this event, the entire protocol, including measurements of the electroacoustic response characteristics of the hearing aid(s), should be repeated with the new or repaired hearing aid(s). Hearing aid sales, repairs, and replacements should be from an independent provider other than the provider of the functional assessment services.

(2) Review the candidate's regular fitting program and settings. The fitting program and settings should be equivalent to those measured according to subparagraph (1). If they are not equivalent, no further testing should be performed at that time.

(3) Determine whether the functional gain is both physiologic and appropriate for the candidate's hearing loss. Unaided and aided binaural sound field thresholds should be measured at 250Hz, 500Hz, 1000Hz, 2000Hz, 3000Hz, 4000Hz, and 6000Hz, using warble tone stimuli presented from a loudspeaker positioned 1 meter in front of the candidate at 0 degrees azimuth. If the functional gain is not physiologic and appropriate, then no further testing should be performed at that time.

(4) Perform aided sound field HINT or other approved testing in noise and quiet. Compare the results to the site-specific normal values for sound field noise front, noise right, and noise left conditions. If the measured thresholds are better than the fifth percentile under all three conditions, then the noise testing shall be repeated with the background noise fixed at 80dB(A). The same normative values used with the standard background noise levels may be used to assign percentile scores to these results.

The examining physician may use the evaluation algorithm described in Hearing Guidelines—Abnormal Audiogram, with one exception. Many present-day hearing aids employ methods of sound processing that vary as a function of the background noise level, and it is necessary to measure aided sound field HINT thresholds through a range of background noise levels. Therefore, candidates who use hearing aid(s) should be functionally normal both under standard HINT background noise levels (i.e., 65dB) and at levels that are commonly encountered in the field (80dB).

The candidate has met the required hiring standards if the candidate has demonstrated acceptable functional ability when wearing a hearing aid(s) and wears a hearing aid(s) when assigned to field duty.

2.1(11) Is examined by a licensed physician or surgeon and meets the physical requirements necessary to fulfill the responsibilities of a law enforcement officer.

501—2.2(80B) Mandatory psychological testing and administrative procedures. In no case shall any person be selected or appointed as a law enforcement officer unless that person has performed satisfactorily in preemployment cognitive or personality tests, or both, prescribed by the Iowa law enforcement academy.

2.2(1) Required cognitive test.

a. Entry-level applicants for all law enforcement positions in the state of Iowa shall take the Standard & Associates' National Police Officer Selection Test (POST).

b. The minimum satisfactory score to be eligible for employment is 70 percent on each of the four sections of this examination. Agencies and civil service commissions may require a higher satisfactory score than 70 percent on each or any of the sections of the test.

2.2(2) Required personality test.

a. The Minnesota Multiphasic Personality Inventory (MMPI) test shall be taken by all applicants in the final selection process for a law enforcement position.

b. The prescribed personality test for an applicant in the final selection process shall be administered, scored and interpreted by the academy or by an individual who has been approved by the academy. The prescribed personality test for an applicant in the final selection process shall be evaluated by the Iowa law enforcement academy. These tests shall be evaluated and test results and evaluations shall be forwarded to a law enforcement agency for selection purposes only by the Iowa law enforcement academy upon proper waiver by the applicant.

2.2(3) Test administration.

a. Test results may be forwarded by the academy to a law enforcement agency for selection purposes only upon proper waiver by the applicant.

b. The Iowa law enforcement academy shall have prescheduled testing dates each fiscal year. Nonscheduled testing dates may also be provided.

2.2(4) Cognitive test.

a. At the discretion of the employing agency, the cognitive test (POST) may be administered by qualified individuals.

b. Arrangements for and administration of the Stanard & Associates' National Police Officer Selection Test (POST) shall be in accordance with directions of the Iowa law enforcement academy.

2.2(5) Personality tests.

a. Those law enforcement agencies which choose to administer, score, or interpret the MMPI without using the academy's testing services shall forward to the academy psychological testing information on any individual hired within 14 days of the date hired. Such information shall include, but not be limited to, all scores from MMPI scales used in the evaluation, the MMPI answer sheet, and any resulting reports.

b. The Minnesota Multiphasic Personality Inventory (MMPI) test may be administered to applicants who are not in the final selection process.

2.2(6) Cost of tests. The academy will establish and post fee schedules for costs of administering and evaluating the psychological and cognitive test or tests mandated by the academy for agencies who choose to utilize academy testing services.

The cost of the POST test shall be paid by the agencies for which testing is conducted to Stanard & Associates in accordance with the fee schedule approved by and posted at the Iowa law enforcement academy.

2.2(7) Availability of tests scores.

a. Forwarding of cognitive test results. Individual cognitive test scores of cognitive tests purchased through the Iowa law enforcement academy shall be provided by the Iowa law enforcement academy to prospective employing agencies upon request and proper waiver by the applicant for a minimal handling fee.

b. Forwarding of Minnesota Multiphasic Personality Inventory (MMPI) test results. The evaluation by the Iowa law enforcement academy of Minnesota Multiphasic Personality Inventory tests will be available to any prospective employing agency upon request and proper waiver by the applicant for a minimal handling fee.

c. Certified law enforcement officers. Law enforcement officers certified through training by the Iowa law enforcement academy are not required to take a cognitive test but may be required to do so at the discretion of the employing agency.

d. Rescinded IAB 9/22/99, effective 10/27/99.

e. Individual POST test scores shall be forwarded by Stanard & Associates to prospective employing agencies upon request and payment of a fee in accordance with the fee schedule approved by and posted at the Iowa law enforcement academy.

f. Individual POST test scores must be postmarked and forwarded to Stanard & Associates within one business day of the date of the examination.

g. Only scores forwarded to Stanard & Associates will be recognized as valid and become part of the Iowa database.

2.2(8) Tests are valid for specific period.

a. The Iowa law enforcement academy evaluations of the Minnesota Multiphasic Personality Inventory may only be used for 12 months to comply with these testing rules. Any applicant who has not been hired or placed upon a civil service certified list within 12 months of taking the Minnesota Multiphasic Personality Inventory test must retake the examination and, before the applicant is hired, the results of the examination must be considered by the hiring authority.

b. Rescinded IAB 9/22/99, effective 10/27/99.

c. At its discretion the employing agency may elect to require an applicant to retake any Iowa law enforcement academy required psychological test as well as any other tests that it may deem necessary in its selection process.

d. POST test scores shall be valid for a period of one year from the date of the examination. An applicant who has not been hired or placed upon a civil service certified list within one year of taking this test must retake and successfully pass the examination before being hired. A person may retest on the same version of the POST examination once within a 12-month period, with a minimum required delay of 90 days before the retest. No delay in retesting is required when a person is given an alternate version of the POST examination.

e. The employing law enforcement agency or appropriate civil service commission retains the exclusive right to decide whether an individual shall be allowed to retest or take an alternate version of the POST examination as provided by these rules.

2.2(9) Construction. Nothing in these rules should be construed to preclude a Civil Service Commission or employing agency from requiring an applicant for a law enforcement position to take tests other than those mandated by these rules so long as the applicant in the final selection process has complied with these rules. These rules shall not be construed as altering or changing the current authority of a Civil Service Commission.

501—2.3(80B) Officers moving from agency to agency.

2.3(1) A certified Iowa peace officer who has previously met all the requirements of rule 2.1(80B) and who intends to move employment from one Iowa law enforcement agency to another Iowa law enforcement agency, or who intends to be employed as a certified peace officer by more than one Iowa law enforcement agency simultaneously, shall:

a. Undergo a psychological examination as provided in rule 2.2(80B) of this chapter, and

b. Be of good moral character as determined by a thorough background investigation by the hiring agency, including, but not limited to, a fingerprint search conducted by the Iowa division of criminal investigation and Federal Bureau of Investigation. If the results of the fingerprint file checks cannot reasonably be obtained prior to the time of appointment, the hiring shall be considered conditional until such time as the results are received and reviewed by the appointing agency.

2.3(2) Except as otherwise specified, the provisions of rule 2.1(80B) of this chapter do not need to be reverified upon the movement of employment from one Iowa law enforcement agency to another Iowa law enforcement agency or upon being employed by more than one Iowa law enforcement agency simultaneously if the certified Iowa peace officer met all of the requirements of rule 2.1(80B) when the officer was initially hired as an Iowa peace officer and if, without a break of not more than 180 days from law enforcement service, the officer is hired by another Iowa law enforcement agency.

2.3(3) A certified Iowa peace officer who has previously met all the requirements of rule 2.1(80B) and who intends to work at the Iowa law enforcement academy shall meet the requirements as outlined in this chapter effective October 20, 2004. Certified Iowa peace officers who are working at the Iowa law enforcement academy before October 20, 2004, may be considered regular peace officers in an active sworn status, and the requirements outlined in 2.3(1) and 2.3(2) shall be waived.

501—2.4(80B) Officers in agencies under intergovernmental agreements. The provisions of rule 2.1(80B) do not need to be reverified by officers when jurisdictions enter into an intergovernmental agreement under the provisions of Iowa Code chapter 28E for the sharing of law enforcement services by those jurisdictions and officers if the execution, filing and recording of the agreement conform to the requirements of Iowa law and a certified copy is provided to the director of the academy; however, this does not apply to the establishment of a unified law enforcement district as defined in Iowa Code section 28E.21, wherein a new legal entity or political subdivision is established.

501—2.5(80B) Higher standards not prohibited. While no person can be selected, hired or appointed as an Iowa law enforcement officer who does not meet minimum requirements, agencies are not limited or restricted in establishing additional standards.

These rules are intended to implement Iowa Code sections 80B.11 and 80B.11B.

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